

THURSDAY, FEBRUARY 11, 1988

FIFTY-SEVENTH LEGISLATIVE DAY

The House met at 9:00 A.M. and was called to order by Mr. Speaker Murray.

The proceedings were opened with prayer by Rev. Robert E. Hammer, Temple Baptist Church, Old Hickory, Tennessee, guest of Representative Ben West, Jr.

Representative Ben West, Jr., led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present ..... 96

Representatives present were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, King, Kieber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 96.

The Speaker announced that Representative Frensey was excused because of out of town business.

The Speaker announced that Representative Cross was excused because of illness.

BILL RECALLED

\*House Joint Resolution 0488 -- General Assembly, Confirmation of Appointment -- Confirms appointment of John A. Jones to Wildlife Resources Commission.

Rep. Naifeh moved that the rules be suspended for the purpose of recalling House Joint Resolution No. 488 from the Senate for further consideration, which motion prevailed.

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**REGULAR CALENDAR**

**House Bill No. 1328 -- Pensions and Retirement Benefits -- Broadens definition of "state employee" under TCRS. Amends TCA 8-36-204.**

Rep. Rhinehart moved that House Bill No. 1328 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	83
Noes .....	13

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Clark, Collier, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Gaia, Garrett, Good, Hassell, Hawkins, Head, Herron, Hillis, Hobbs, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Long, Love, May, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Stallings, Starnes, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 83.

Representatives voting no were: Chiles, Coffey, Copeland, Harrill, Henry, Holcomb, McAfee, Montgomery, Moody, Scruggs, Stafford, Swann and Tankersley -- 13.

A motion to reconsider was tabled.

**House Bill No. 1345 -- Pensions and Retirement Benefits -- Allows Tennessee County Highway Officials Association to be an employer in the TCRS. Amends TCA 8-35-213.**

Rep. Rhinehart moved that House Bill No. 1345 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	90
Noes .....	6

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Clark, Coffey, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Gaia, Garrett, Good, Hassell, Hawkins, Head, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller,

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Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Stallings, Starnes, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 90.

Representatives voting no were: Chiles, Henry, Scruggs, Stafford, Swann and Tankersley -- 6.

A motion to reconsider was tabled.

**\*House Bill No. 1370 -- Public Contracts --** Revises certain provisions of the Prompt Payment Act of 1985. Amends TCA, Title 12, Ch. 4, Pt. 7.

On motion, House Bill No. 1370 was made to conform with Senate Bill No. 1506.

On motion, **Senate Bill No. 1506**, on same subject, was substituted for House Bill No. 1370.

Rep. Rhinehart moved passage of Senate Bill No. 1506 on third and final consideration, which motion prevailed by the following vote:

Ayes .....	97
Noes .....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

**\*House Bill No. 1332 -- Motor Vehicles, Titling and Registration --** Annualizes fee for reflectorized license plates. Amends TCA, Title 55, Ch. 4.

Rep. Rhinehart moved that House Bill No. 1332 be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes ..... 58  
Noes ..... 39

Representatives voting aye were: Bell, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Collier, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Ellis, Gaia, Garrett, Hassell, Hawkins, Head, Hillis, Hurley, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Long, Love, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Severance, Shirley, Stallings, Starnes, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Wheeler, Winningham, Wix, Yelton and Mr. Speaker Murray -- 58.

Representatives voting no were: Bewley, Chiles, Clark, Coffey, Copeland, Curlee, Davis (Cocke), Davis (Knox), Duer, Good, Harrill, Henry, Herron, Hobbs, Holcomb, Holt, Huskey, Kisber, Lawson, May, McAfee, Montgomery, Moody, Nance, Odom, Peroulas, Phillips, Purcell, Robinson, (Washington), Scruggs, Stafford, Swann, Tankersley, Webb, Webb, West, Whitson, Williams, Wolfe and Wood -- 39.

A motion to reconsider was tabled.

**\*House Bill No. 1388 -- Highways, Roads and Bridges --** Requires owners of utilities located in right-of-way to relocate such utilities if necessary due to department of transportation construction.

Rep. Rhinehart moved that House Bill No. 1388 be passed on third and final consideration.

Rep. Robinson (Davidson) moved to amend as follows:

**Amendment No. 1**

Amend House Bill No. 1388 by deleting the words "or user" in the definition of "Owner" in Section 2 and substituting instead the language ", user or joint user".

AND FURTHER AMEND by adding the following definition in Section 2:

(7) "Appropriate vertical and horizontal locations of underground utility facilities" means the depth below the existing ground line within one (1) foot and the location on a strip of land at least four (4) feet wide but not wider than the width of the utility facility plus two (2) feet on either side of the utility facility.

AND FURTHER AMEND by adding the language "return receipt requested addressed to the designated representative of" between the words "mail" and "the" in the first paragraph of Section 3.

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**AND FURTHER AMEND** by adding the following new sentence at the end of the first paragraph of Section 3:

The department shall make every reasonable effort to identify the current and correct mailing address for each such owner, in order to give actual notice to the appropriate personnel responsible for planning such relocation or adjustment of utility facilities of each owner.

**AND FURTHER AMEND** by deleting the language "two (2) weeks" in the second paragraph of Section 3 and substituting instead the language "sixty (60) days".

**AND FURTHER AMEND** by adding the language "at least two (2) sets of" between the words "with" and "project" in the first paragraph of Section 4.

**AND FURTHER AMEND** by deleting the language "one hundred (100)" and substituting the language "seventy-five (75)" in the second paragraph of Section 4, and deleting the language "exact vertical and horizontal location and" in the second paragraph of Section 4 and substituting instead the language "approximate vertical and horizontal locations of underground utility facilities, exact horizontal location of above-ground utility facilities,".

**AND FURTHER AMEND** by adding the following new sentence at the end of the second paragraph of Section 4:

Should coordination with other owners be required in order for an owner to prepare a plan and schedule of working days, then additional time shall be allowed, but in no case shall such additional time exceed the original seventy-five (75) calendar days by more than an additional thirty (30) calendar days.

**AND FURTHER AMEND** by adding the following new paragraphs after the second paragraph of Section 4:

After the owner has submitted its plan and schedule of working days, the department shall approve them if reasonable and notify the owner by certified mail of approval and the date for beginning installation, relocation or adjustment.

After the owner has completed the installation, relocation or adjustment, or any part thereof, and the department requires any additional relocation or adjustment, the department shall reimburse the owner for the cost thereof.

The department shall give its contractor and the owner notice of any change in highway construction which would require any additional relocation or adjustment and the owner shall be given an agreed reasonable time to accomplish such work.

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The department's contractor shall be liable for any damages negligently inflicted to the owner's utility facilities occurring during the time provided for in the schedule of working days for installation, relocation or adjustment or during the agreed reasonable time for any additional relocation or adjustment.

AND FURTHER AMEND by adding the following new Sections 5 and 6 and renumbering the existing Section 5 accordingly:

SECTION 5. In the event the department does not notify the owner by certified mail of its approval of the plan and schedule of working days and date for beginning installation, relocation or adjustment within one (1) year after their submission, then the owner shall be allowed to submit a revised cost estimate, when applicable, which shall be incorporated into the utility relocation contract.

SECTION 6. The department's resident engineer shall act as liaison between the owner and the department's contractor on any project to which this law is applicable.

Rep. Rhinehart moved to place House Bill No. 1388 on next available calendar, Wednesday, February 17, 1988, which motion prevailed.

**House Bill No. 1670 -- Highways, Roads and Bridges -- Provides for directional signs for Buffalo.**

Rep. Collier moved that House Bill No. 1670 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	97
Noes .....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

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**CONSENT CALENDAR**

**House Resolution No. 0086** -- Memorials, Public Service -- Honors Judge Chester R. Mahood for service in Circuit Court in Knoxville.

**House Resolution No. 0087** -- Memorials, Public Service -- Honors Carpetbag Theater for outstanding service to community.

**House Resolution No. 0088** -- Memorials, Public Service -- Honors Knoxville Teachers Credit Union for community service.

**House Resolution No. 0090** -- Memorials, Retirement -- Honors Dr. Lee Williams on retirement from medicine.

**House Resolution No. 0091** -- Memorials, Public Service -- Honors Burl H. Underwood for commitment to education.

**House Joint Resolution 0516** -- Memorials, Professional Achievement -- Honors Jane C. Gillespie on receipt of Excellence in Education Award.

**Senate Joint Resolution 0322** -- Memorials, Congratulations -- Honors Jefferson County High School Scholar's Bowl team.

**Senate Joint Resolution 0323** -- Memorials, Condolence -- Honors the memory of Alma Counts Baird.

**Senate Joint Resolution 0324** -- Memorials, Condolence -- Honors the memory of State Senator Bill Baird.

**Senate Joint Resolution 0325** -- Memorials, Condolence -- Honors the memory of Sharon Mayberry Brown.

**Senate Joint Resolution 0327** -- Memorials, Sports -- Honors Charles "Stumpy" Sarver on induction into MTSU Blue Raider Hall of Fame.

**Senate Joint Resolution 0328** -- Memorials, Condolence -- Expresses sorrow at death of Jewett E. Moss of Nashville.

**Senate Joint Resolution 0337** -- Memorials, Personal Achievement -- Honors Victoria Porter on selection to 1987 McDonald's All-American High School Band.

**Senate Joint Resolution 0338** -- Memorials, Professional Achievement -- Commends Irby Cooper for successful career and humanitarian contributions.

**House Bill No. 1775** -- Roane County -- Levies hotel/motel tax.

**House Bill No. 1885** -- Washington County -- Regulates garbage disposal.

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**House Bill No. 2278** -- Washington County -- Transfers duties relative to juvenile matters from county clerk to general sessions clerk. Amends Chapter 201, Private Acts of 1980.

Rep. Phillips moved that all House and Senate Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions on the Consent Calendar be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes .....	97
Noes .....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

**UNFINISHED BUSINESS**

**RULES SUSPENDED**

**HOUSE ACTION ON SENATE AMENDMENTS**

Rep. Chiles moved to suspend Rule No. 59 for the immediate consideration of Senate Amendment No. 1 to House Joint Resolution No. 509, which motion prevailed.

**\*House Joint Resolution 0509** -- General Assembly, Adjournment, Recess -- Provides for recess of General Assembly.

**Senate Amendment No. 1**

Amend House Joint Resolution No. 509 by deleting from the caption language "General Assembly" and by substituting instead the language "House of Representatives".

**AND FURTHER AMEND** by deleting from the resolving clause the language "and senate".



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**AND FURTHER AMEND** by adding at the end of the resolution the following resolving clause:

**BE IT FURTHER RESOLVED**, That pursuant to the Constitution of Tennessee, Article II, Section 16, the Senate by its concurrence in this resolution consents to this recess.

Rep. Chiles moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes .....	79
Noes .....	11
Present and Not Voting .....	4

Representatives voting aye were: Bell, Bewley, Bivens, Buck, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Drew, Duer, Ellis, Gaia, Garrett, Hassell, Hawkins, Head, Henry, Herron, Hobbs, Holt, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Kent, Kernell, King, Kisber, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Naifeh, Peroulas, Phillips, Pruitt, Purcell, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 79.

Representatives voting no were: Bushing, DePriest, Harrill, Hillis, Holcomb, Hurley, Jones, U. (Shelby), Lawson, Odom, Rhinehart and Turner, C. (Shelby) -- 11.

Representatives present and not voting were: Bragg, Good, Nance and Napier -- 4.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Kent moved that the rules be suspended for the purpose of introducing Senate Joint Resolution 346 out of order, which motion prevailed.

**Senate Joint Resolution 0346 -- Naming and Designating --** Designates portion of Expressway in Memphis as W.B. Fowler, Sr., Expressway.

On motion, the rules were suspended for the immediate consideration of the resolution.

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On motion of Rep. Kent, the resolution was concurred in by the following vote:

Ayes .....	97
Noes .....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. DeBerry moved that the rules be suspended for the purpose of introducing Senate Joint Resolution 345 out of order, which motion prevailed.

**\*Senate Joint Resolution 0345 -- Naming and Designating --** Designates portion of expressway in Memphis as Avron B. Fogelman Expressway.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. DeBerry, the resolution was concurred in by the following vote:

Ayes .....	93
Noes .....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Coffey, Collier, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby),

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Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 93.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Naifeh moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 522 out of order, which motion prevailed.

**House Joint Resolution 0522 -- Memorials, Sports -- Honors University of Tennessee women's basketball coach Pat Head Summitt on selection as Tennessean of the Year.** by \*Naifeh, \*Tanner, \*Davidson, \*Head.

On motion, the rules were suspended for the immediate consideration of the resolution.

Rep. Naifeh moved the resolution be adopted, which motion prevailed.

A motion to reconsider was tabled.

**SPONSORS ADDED**

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1732: Rep. Kisber added as a prime sponsor.

House Bill No. 1921: Rep. Long added as a prime sponsor.

House Bill No. 2377: Rep. U. Jones added as a prime sponsor.

• House Bill No. 2379: Rep. U. Jones added as a prime sponsor.

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### **INTRODUCTION OF RESOLUTIONS**

**House Joint Resolution 0517** -- Memorials, Professional Achievement -- Honors Oma McNabb on receipt of Presidential Award for teaching science and mathematics. by \*Bragg, \*Hobbs.

The Speaker referred House Joint Resolution No. 517 to the Calendar and Rules Committee.

**\*House Joint Resolution 0518** -- General Assembly, Studies -- Continues special joint committee created by HJR 43 relative to AFDC, public assistance and other related topics. by \*Pruitt, \*Nance, \*Starnes, \*Curlee.

The Speaker referred House Joint Resolution No. 518 to the General Welfare Committee.

**House Joint Resolution 0519** -- Memorials, Heroism -- Honors State Trooper Ronnie Belew for heroic service to community. by \*Crain.

The Speaker referred House Joint Resolution No. 519 to the Calendar and Rules Committee.

**\*House Joint Resolution 0520** -- Memorials, Government Officials -- Requests Department of Finance and Administration to designate one travel agency per metropolitan area to be utilized by employees in planning state travel. by \*Stallings, \*Naifeh.

The Speaker referred House Joint Resolution No. 520 to the State and Local Government Committee.

**House Joint Resolution 0521** -- Memorials, Professional Achievement -- Honors Toy F. Reid on receipt of 39th CDA Honor award. by \*Montgomery, \*Yelton, \*Holcomb, \*Hurley, \*Whitson, \*Robinson Ruth, \*Good, Bewley, Hawkins.

The Speaker referred House Joint Resolution No. 521 to the Calendar and Rules Committee.

### **INTRODUCTION OF BILLS**

**House Bill No. 2436** -- Taxes, Privilege -- Authorizes Spring Hill to levy and collect impact fees on certain new developments. by \*Napier, \*Hobbs.

Passed first consideration.

**House Bill No. 2437** -- Maury County -- Renames Maury County Hospital. Amends Chapter 448, Private Acts of 1949, as amended. by \*Napier.

Passed first consideration.

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**House Bill No. 2438** -- Maury County -- Revises procedure of paying general sessions court officer. Amends Chapter 254, Private Acts of 1947, as amended. by \*Napier.

Passed first consideration.

**House Bill No. 2439** -- Henderson -- Revises city charter by changing date of election of certain officers, salaries of certain persons and board meeting dates. Amends Chapter 198, Acts of 1901, as amended. by \*Stallings, \*Tankersley.

Passed first consideration.

**House Bill No. 2440** -- Bond Issues -- Authorizes \$25 million bond issue for golf courses at Natchez Trace, Chickasaw, Reelfoot and Rock Island state parks. by \*Tanner, \*Ivy, \*Ridgeway, \*Hillis, \*Naifeh, Collier, Holt, Turner L.

Passed first consideration.

**SENATE BILLS ON FIRST CONSIDERATION**

**\*Senate Bill No. 1456** -- Sunset Laws -- Extends termination date of Office of Business Enterprise. Amends TCA, Title 4, Chs. 26, 29.

Held on the Clerk's desk pending third consideration of the companion House Bill No. 1421.

**\*Senate Bill No. 1498** -- Uniform Commercial Code -- Deletes option to consider check paid when payor bank posts it to account of maker or drawer. Amends TCA, Title 47, Ch. 4.

Held on the Clerk's desk pending third consideration of the companion House Bill No. 1647.

**\*Senate Bill No. 1514** -- Insurance, Credit Life -- Redefines "domestic life insurance company"; establishes certain requirements for such companies. Amends TCA 56-2-102; Title 56, Ch. 4, 56-4-205.

Held on the Clerk's desk pending third consideration of the companion House Bill No. 1643.

**\*Senate Bill No. 2088** -- Employees, Employers -- Revises provisions for which maternity leave may be taken from certain employment. Amends TCA 50-1-501, 502.

Held on the Clerk's desk pending third consideration of the companion House Bill No. 2135.

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**HOUSE BILLS ON SECOND CONSIDERATION**

**House Bill No. 2435** -- Accountants -- Passed second consideration and referred to the Commerce Committee.

**House Bill No. 2441** -- Stanton -- Passed second consideration and held on the Clerk's desk.

**ENGROSSED BILLS**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1328, 1332, 1345, 1670, 1775, 1885, 2278; and House Joint Resolutions Nos. 516 and 522; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 321 and 343; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 477, 479, 480, 481, 490, 493, 494, 496, 497, 498, 506 and 508; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 1512, 1513, 1523, 1535, 1580, 1626, 1632 and 1643; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**THURSDAY, FEBRUARY 11, 1988 -- FIFTY-SEVENTH LEGISLATIVE DAY**

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Bills Nos. 2007, 2030, 2408 and 2409; substituted for Senate Bills on same subjects and passed by the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Joint Resolutions Nos. 345 and 346; all for the signature of the Speaker.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Bills Nos. 1454, 1459, 1462 and 1541; also, Senate Joint Resolutions Nos. 316, 317 and 320; all for the signature of the Speaker.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**ENROLLED BILLS**

**MR. SPEAKER:** Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 2007, 2030, 2408 and 2409; House Resolutions Nos. 86, 87, 88, 90 and 91; and House Joint Resolutions Nos. 477, 479, 480, 481, 490, 493, 494, 496, 497, 498, 506, 508 and 509; and find same correctly enrolled and ready for the signature(s) of the Speaker(s).

**BETTY KAY FRANCIS,**  
Chief Engrossing Clerk.

**SIGNED**

The Speaker announced that he had signed the following: House Bill No. 1570.

**SIGNED**

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 345 and 346.

**THURSDAY, FEBRUARY 11, 1988 -- FIFTY-SEVENTH LEGISLATIVE DAY**

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 496 and 1570; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**SIGNED**

The Speaker announced that he had signed the following: Senate Joint Resolution No. 335.

**REPORT OF CHIEF ENGROSSING CLERK**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 496 and 1570; for his action.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**REPORT OF CHIEF ENGROSSING CLERK**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 1291, 1343, 1344, 1369 and 1803; and House Joint Resolutions Nos. 374, 415, 416, 417, 463, 465, 469, 471, 472, 487 and 513; for his action.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**MESSAGE FROM THE GOVERNOR**

MR. SPEAKER:

I am directed by the Governor to return herewith: House Joint Resolutions Nos. 507 and 512, with his approval.

DAVID H. WELLES,  
Counsel to the Governor.

**SIGNED**

The Speaker announced that he had signed the following: Senate Bills Nos. 1454, 1459, 1462 and 1541; and Senate Joint Resolutions Nos. 316, 317 and 320.



**THURSDAY, FEBRUARY 11, 1988 -- FIFTY-SEVENTH LEGISLATIVE DAY**

**SIGNED**

The Speaker announced that he had signed the following: House Bills Nos. 2007, 2030, 2408 and 2409; House Resolutions Nos. 86, 87, 88, 90 and 91; and House Joint Resolutions Nos. 477, 479, 480, 481, 490, 493, 494, 496, 497, 498, 506, 508 and 509.

**LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES**

In accordance with **Rule No. 48**, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 1713 and 2216.

**REPORT OF COMMITTEE ON CALENDAR AND RULES  
CONSENT CALENDAR**

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills and/or resolutions on the Consent Calendar for Wednesday, February 17, 1988: House Joint Resolutions Nos. 517, 519 and 521; and House Bills Nos. 1713 and 2216.

PHILLIPS, Chairman.

**REPORT OF COMMITTEE ON CALENDAR AND RULES**

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Wednesday, February 17, 1988: House Bills Nos. 1371, 1396, 1581, 1681, 1766, 1767 and 1771.

PHILLIPS, Chairman.

**REPORT OF COMMITTEE ON CALENDAR AND RULES**

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Thursday, February 18, 1988: House Bills Nos. 1509, 1514, 1435, 1558, 1795, 1796 and 1798.

PHILLIPS, Chairman.

**THURSDAY, FEBRUARY 11, 1988 -- FIFTY-SEVENTH LEGISLATIVE DAY**

**REPORT OF COMMITTEE ON CALENDAR AND RULES**

**MR. SPEAKER:** Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Monday, February 22, 1988: House Bills Nos. 1353, 1406, 1980 and 1981.

PHILLIPS, Chairman.

**ROLL CALL**

The roll call was taken with the following results:

Present ..... 97

Representatives present were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 97.

On motion of Rep. Naifeh, the House adjourned until 2:00 P.M., Wednesday, February 17, 1988.